

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
HARP TRADING LTD.,

Plaintiff,

-against-

BIRCH RIVER ENERGY, LLC f/k/a Brooks Run
Mining Company, LLC,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/28/2023

23 Civ. 5781 (AT)

ORDER

On August 19, 2023, Plaintiff moved for entry of default against Defendant. *See* ECF No. 13; *see also* ECF Nos. 14–16. On August 21, 2023, the Clerk of Court entered a certificate of default. ECF No. 17. On September 18 and 19, 2023, Plaintiff filed a proposed order to show cause, ECF No. 28, a proposed default judgment, ECF No. 31, and supporting papers, ECF Nos. 29–30, 32. Accordingly:

1. By **October 5, 2023**, Plaintiff shall serve on Defendant copies of this Order to Show Cause; Plaintiff's proposed order to show cause, ECF No. 28; Plaintiff's proposed default judgment, ECF No. 31; the declaration of Michael L. Murphy and attached exhibits, ECF No. 29; and the declaration of Andrew Smolenack and attached exhibits, ECF No. 30.
2. By **October 12, 2023**, Plaintiff shall file proof of service on the docket.
3. By **November 2, 2023**, Defendant shall respond to Plaintiff's motion.
4. By **November 16, 2023**, Plaintiff shall submit its reply, if any.
5. On **November 28, 2023**, at **1:00 p.m.**, Defendant shall appear at a telephonic conference to show cause why the Court should not enter a default judgment against it pursuant to Rule 55(b) of the Federal Rules of Civil Procedure. Plaintiff shall also appear. The parties are directed to dial 888-398-2342 and enter access code 5598827.

SO ORDERED.

Dated: September 28, 2023
New York, New York



ANALISA TORRES
United States District Judge